

In The Matter of

Application of Duke Energy Carolinas, LLC for  
Approval of Decision to Incur Nuclear Generation  
Pre-Construction Costs

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET  
NUMBER: 2007-440-E

(Please type or print)

Submitted by: Bonnie D. ShealySC Bar Number: 11125

Address: Robinson, McFadden & Moore, P.C.  
P.O. Box 944  
Columbia, SC 29202

Telephone: (803) 779-8900Fax: (803) 252-0724

Other: \_\_\_\_\_

Email: bshealy@robinsonlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

## INDUSTRY (Check one)

## NATURE OF ACTION (Check all that apply)

- |                                                      |                                                    |                                                            |                                                    |
|------------------------------------------------------|----------------------------------------------------|------------------------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> Electric         | <input type="checkbox"/> Affidavit                 | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Electric/Gas                | <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certificatio  |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer                    | <input checked="" type="checkbox"/> Motion                 | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water              | <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Electric/Water/Telecom.     | <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Electric/Water/Sewer        | <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Gas                         | <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Railroad                    | <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input type="checkbox"/> Sewer                       | <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input type="checkbox"/> Telecommunications          | <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Transportation              | <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Prefiled Testimony                | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Water                       | <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Water/Sewer                 | <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other:                    |
| <input type="checkbox"/> Administrative Matter       | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |                                                    |
| <input type="checkbox"/> Other:                      | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |                                                    |
|                                                      | <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |                                                    |

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2007-440-E**

In Re:	)	
	)	
Application of Duke Energy Carolinas, LLC	)	
For Approval of Decision to Incur Nuclear	)	<b>MOTION FOR ADMISSION</b>
Generation Pre-Construction Costs	)	<b><i>Pro Hac Vice</i></b>
	)	
	)	

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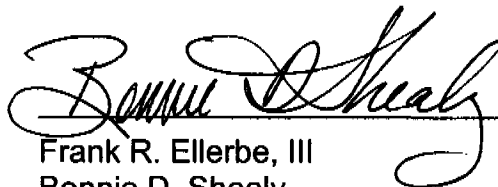
Duke Energy Carolinas, LLC, ("Duke Energy Carolinas") hereby moves the Public Service Commission of South Carolina ("Commission") to permit Kodwo Ghartey-Tagoe to practice *Pro Hac Vice* before the Commission in the above-captioned matter.

Pursuant to SCACR 404, Mr. Ghartey-Tagoe, together with counsel of record, are simultaneously filing a copy of the Verified Application for Admission *Pro Hac Vice* with the South Carolina Supreme Court. Attached is the original Verified Application.

WHEREFORE, as the provisions set forth in SCACR 404 have been satisfied, Duke Energy Carolinas requests this motion be granted.

Dated this 28<sup>th</sup> day of January, 2008.

ROBINSON, McFADDEN & MOORE, P.C.



Frank R. Ellerbe, III  
Bonnie D. Shealy  
Post Office Box 944  
Columbia, SC 29202  
(803) 779-8900

Counsel for Duke Energy Carolinas, LLC

RECEIVED

JAN 28 2008

VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA

S.C. SUPREME COURT

IN THE MATTER OF:

Docket No. 2007-440-E

Application of Duke Energy Carolinas, LLC  
For Approval of Decision to Incur  
Nuclear Generation Pre-Construction Costs

Public Service Commission of South Carolina

Mailing Address:

101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Comes now, **Kodwo Ghartey-Tagoe**, applicant herein, and respectfully represents the following:

1. Applicant resides at **12719 Lindrick Lane, Charlotte, Mecklenburg County, North Carolina, 28277**, and his telephone number is **(704) 382-4295**.
2. Applicant is an attorney and a member of the law department of **Duke Energy Corporation** with offices at **526 South Church Street, Charlotte, North Carolina 28202**; **Telephone number: (704) 382-4295; Fax Number: (980) 373-9894**.
2. Applicant has been retained personally or as a member of the above named law department by **Duke Energy Carolinas, LLC** to provide legal representation in connection with the above case now pending before the above named regulatory agency of the State of South Carolina.
3. Since **August 19 of 1988**, applicant has been, and presently is, a member in good standing of the bar of the highest court of the State of North Carolina where applicant regularly practices law. Attached is a certificate of good standing.
4. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

North Carolina Supreme Court

August 19, 1988

District of Columbia Court of Appeals

June 7, 1989

Virginia Supreme Court

January 9, 1995

U.S. District Court of Maryland

August 16, 1991

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

5. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency in this State or any other state, except as provided below (give particulars, e.g., jurisdiction, court, date):

6. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

7. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

8. Local counsel of record associated with applicant in this case is **Frank R. Ellerbe, III, and Bonnie D. Shealy**, of the **Robinson, McFadden & Moore, P.C.** law firm, which has offices at: **1901 Main Street, Suite 1200, Columbia, SC 29201**; telephone **(803) 779-8900**.

If applicable list all other firms/attorneys you are associated with in this matter:

N/A

9. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

N/A

10. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

11. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

Dated this 21<sup>st</sup> day of January, 2008.

  
Kodwo Ghartey-Tagoe

**VERIFICATION**

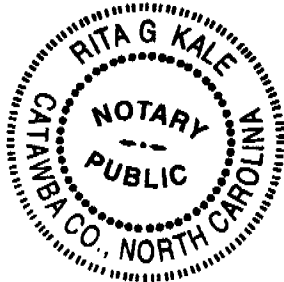
STATE OF NORTH CAROLINA                    )  
                                                          )  
COUNTY OF Mecklenburg                    )

I, Kodwo Gharthey-Tagoe, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

*Kodwo Gharthey-Tagoe*  
Kodwo Gharthey-Tagoe

SWORN to before me this  
21 day of January, 2008

*Rita G Kale* L.S.  
Notary Public for the State of North Carolina  
My Commission Expires: 6-17-12



**LOCAL COUNSEL CONSENT:**


I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 28<sup>th</sup> day of January, 2008.

  
LOCAL COUNSEL OF RECORD

**CERTIFICATE OF SERVICE:**

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by causing same to be hand delivered to: South Carolina Supreme Court Office of Bar Admissions, 1231 Gervais Street, Columbia, SC 29201, accompanied by payment of the \$250.00 filing fee payable to the South Carolina Supreme Court on this 28<sup>th</sup> day of January, 2008.

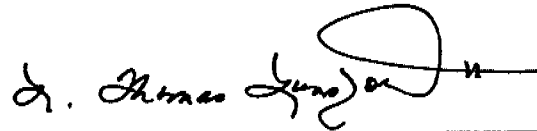
  
\_\_\_\_\_

# The North Carolina State Bar

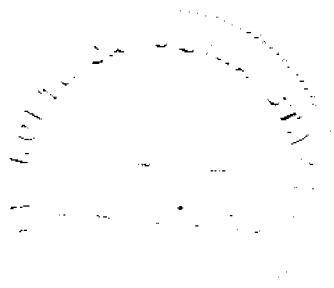
I, L. Thomas Lunsford, II, Secretary of the North Carolina State Bar, do hereby certify that Kodwo Ghartey-Tagoe (#15876) is an active member of the North Carolina State Bar in good standing as of this date, and was duly licensed to practice law in this state on August 19, 1988.

I further certify that as of this date the above named attorney has not been subject to any public disciplinary action by the North Carolina State Bar.

Given over my hand and the Seal of the North Carolina State Bar, this 17th day of January, 2008.



Secretary of the North Carolina State Bar



**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2007-440-E**

In Re:

Application of Duke Energy )  
Carolinas, LLC for Approval of )  
Decision to Incur Nuclear )  
Generation Pre-construction Costs )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Motion for Admission Pro Hac Vice and Verified Applications of Lawrence Bowen Somers and Kodwo Ghartey-Tagoe** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Nanette S. Edwards, Esquire  
Office of Regulatory Staff  
Post Office Box 11263  
Columbia, SC 29211

C. Lessie Hammonds, Esquire  
Office of Regulatory Staff  
Post Office Box 11263  
Columbia, SC 29211

Dated at Columbia, South Carolina this 28 th day of January, 2008.

  
\_\_\_\_\_  
Toni C. Hawkins